

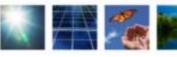


# James River Chlorophyll Criteria Regulatory Advisory Panel Meeting

June 21, 2016
Patrick Henry Building

John Kennedy – DEQ Office of Ecology





## Agenda:

- Introductions
- RAP Process and Schedule
- Background and Summary of JR Study:
  - SAP's "Empirical Relationships Report"
  - ICPRB's White Paper "From Programmatic Goals to Criteria"
  - Add'l SAP supporting documents/comments
- CBF Presentation
- Current Assessment Method and Potential Alternate
- Wrap-Up, Plan for Next Meeting





## **RAP Process**

- Can use "strawman" or "issue-oriented approach"
- Attempt to reach <u>consensus</u>: "a willingness of each member to be able to say he/she can live with the decisions reached and will not actively work against them outside of the process"
- Negotiate in good faith around complex and sensitive issues
- If no consensus, staff will present differing opinions to DEQ management and the SWCB











#### 2016 James R. CHL'a' Criteria

### Rulemaking Timeline

2016	2017	2018
J F M A M J J A S O N D	J F M A M J J A S O N D	J F M A M J J A S O N D

#### Legend



180 Days Includes Ad Hoc, Proposal Development, and go to Board

#### **Board Action -->**



DBP and Executive Review (Minimum 73 Days - 45 for DPB, 14 days for SNR, <u>no time limit for Gov)</u>, 14 days for DEQ to publish



**NOPC Comment Period** 



180 Days

#### **Board Action -->**



DPB and Executive Review (Minimum 21 days - 14 days for DPB and 7 for SNR, Gov has no time limit), 14 days for DEQ to publish



Final Stage Includes Final Publication, AGO Certification, EPA Approval, Effective Date



Approx. time of Board meeting





## **Background and Summary of JR Study**

- SAP Report focuses on effects-based relationships and impacts
- Some SAP members advocate a reference-based approach
- Arithmetic means used to analyze data for "lines of evidence"; Geometric means used to assess criteria attainment
- SAP Report yields protective ranges; geo-means would yield lower ranges
- Consensus not reached





# **Background and Summary (cont.)**

- ICPRB's White Paper begins with goals found in Bay Agreements and WQ Standards
- Builds on narrative standards, principal ecological concepts and empirical evidence
- Reference conditions in "least impacted" areas of Chesapeake Bay; multi-metric indices of bio-integrity
- Can make criteria more protective by lowering numeric values (relies on geo-means), or change to an upper limit





## **Background and Summary (cont.)**

- SAP member's comment documents further explain positions in support of differing approaches, and alternatives to resolve conflicts
- EPA has initiated STAC review of the Study documents:
  - Have charge and questions
  - 45-60 days for review
  - Only one part of materials DEQ will consider in forming proposal